

PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
d to a collection of information unless it displays a valid OMB control number

| Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid Civil control number. |                                    |                      |                    |                      |  |  |
|---|------------------------------------|----------------------|--------------------|----------------------|--|--|
|   | TDANCMITTAL                        | Application Number   | 09/954,723         |                      |  |  |
| TRANSMITTAL FORM  |                                    | Filing Date          | September 14, 2001 |                      |  |  |
|   |                                    | First Named Inventor | Babu V. BASSA      | RECEIVED             |  |  |
|   |                                    | Group Art Unit       | 1651               | MAY 0 8 2002         |  |  |
| (to be used for all correspondence after initial filing)  |                                    | Examiner Name        | Michele C. Flood   |                      |  |  |
| Total I   | Number Of Pages In This Submission | Attorney Docket No.  | 524092000300       | TECH CENTER 1600/200 |  |  |

| ENCLOSURES (check all that apply)  |  |  |   |   |  |  |  |
|--|--|--|---|---|--|--|--|
| Fee Transmittal For  | m · [  | Assignment Papers (for an Application)                         |   | After Allowance Communication to Group                            |  |  |  |
| Fee Attache  | ed [   | Drawing(s)   |   | Appeal Communication to Board of<br>Appeals and Interferences     |  |  |  |
| Amendment / Reply  | , [  | Licensing-related Papers                                       |   | Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |  |  |  |
| After Final  | [  | Petition   |   | Proprietary Information   |  |  |  |
| Affidavits/declaratio  | ns (see Exhibit A)                                   | Petition to Convert to a<br>Provisional Application            |   | Status Letter   |  |  |  |
|  | [  | Power of Attorney, Revocation Change of Correspondence Address | X | Other Enclosure(s) (please identify below):                       |  |  |  |
| Extension of Time F  | Request [  | Terminal Disclaimer  | × | Return Postcard   |  |  |  |
| Express Abandonm   | ent Request  | Request for Refund   |   |   |  |  |  |
| Information Disclos  | Information Disclosure Statement CD, Number of CD(s) |  |   |   |  |  |  |
| Certified Copy of Priority Document(s) Remarks                           |  |  |   |   |  |  |  |
| Response to Missin Incomplete Application                                |  |  |   |   |  |  |  |
|  | o Missing Parts<br>FR 1.52 or 1.53                   |  |   |   |  |  |  |
| SIGNATURE OF APPLICANT, ATTORNEY OR AGENT                                |  |  |   |   |  |  |  |
| Firm or  | Firm or Morrison & Foerster LLP                      |  |   |   |  |  |  |
| Individual Name 3811 Valley Centre Drive, Suite 500, San Diego, CA 92130 |  |  |   |   |  |  |  |
|  |  |  |   |   |  |  |  |
| Kate H. Murashige  |  |  |   |   |  |  |  |
| Signature Kutu H.  |  | Musersi  |   |   |  |  |  |
| Date   | April 25, 2002                                       |  |   |   |  |  |  |
| CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"                             |  |  |   |   |  |  |  |

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on April 25, 2002.

Ruth M. Saskowski

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

## CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents, Washington, D.C. 20231, on April 25, 2002.

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Babu V. BASSA

Serial No.:

09/954,723

Filing Date:

14 September 2001

For:

**NEW ANTITUMOR AGENT** 

Examiner: Michele C. Flood

Group Art Unit: 1651

## AMENDMENT UNDER 37 C.F.R. § 1.111

**Assistant Commissioner for Patents** Washington, D.C. 20231

Dear Sir:

This is in response to an Office Action herein mailed 28 March 2002, time for response to which was set to expire 28 April 2002. Restriction was required.

Applicants hereby elect to prosecute the invention of Group I, claims 1 and 2. This election is made without traverse.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to

charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket No. <u>524092000300</u>.

Respectfully submitted,

Dated:

April 25, 2002

By: Kate H. Murashige Registration No. 29,959

> Morrison & Foerster LLP 3811 Valley Centre Drive, Suite 500

San Diego, California 92130-2332

Telephone: (858) 720-5112 Facsimile: (858) 720-5125